

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

MDL No. 1456

THIS DOCUMENT RELATES TO
State of Nevada v. Abbott Labs., Inc., et al.,
Case No. CV02-00260 (Nevada I) and
State of Montana v. Abbott Labs., Inc., et al.,
CA No. 02-CV-12084-PBS¹

Judge Patti B. Saris

ORDER

February __, 2006

Saris, U.S.D.J.

Presently before the Court is Defendants Baxter International Inc. and Baxter Healthcare Corporation's Motion for Reconsideration of Order Denying Joint Motion to Amend CMO 15.

Upon consideration of the foregoing motion and the entire record herein,

IT IS HEREBY ORDERED as follows:

That Defendants Baxter International Inc. and Baxter Healthcare Corporation's Motion for Reconsideration of Order Denying Joint Motion to Amend CMO 15 with Respect to Baxter is hereby GRANTED;

AND IT IS FURTHER ORDERED

That the schedule set forth in CMO 15 is hereby amended as to Baxter as follows:

- Fact discovery cutoff date: June 1, 2006;
- Plaintiffs to file any expert reports on liability issues: July 20, 2006;
- Baxter to file any expert reports on liability issues: September 7, 2006;

¹ Baxter is not a defendant in *State of Nevada v. American Home Products, et al.*, CA No. 02-CV-12086-PBS (Nevada II).

- With respect to any motions for summary judgment, briefing will proceed according to the following schedule:

Motions for Summary Judgment	September 21, 2006
Oppositions to Motions	October 19, 2006
Replies	November 2, 2006
Sur-replies	November 16, 2006
Hearing	November 30, 2006

SO ORDERED.

PATTI B. SARIS
United States District Judge